



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/829,090

04/21/2004

Louis A. Brown

44455.4

6008

21324 7590 06/30/2006

HAHN LOESER & PARKS, LLP

One GOJO Plaza

Suite 300

AKRON, OH 44311-1076

EXAMINER

REKSTAD, ERICK J

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/829,090	Applicant(s) BROWN, LOUIS A.	
	Examiner Erick Rekstad	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a First action for application no. 10/829,090 wherein claims 1-22 are presented for examination.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 22, 25-27, 36, and 38. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 11, 14, and 19-22, are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No US 2002/0171737 A1 to Tullis.

[claims 1, 19 and 22]

Tullis discloses, in Section 18-20, and shown in Figure 2, a hand-held digital camera with a housing, which is depicted as Element 42. Further disclosed is a video module, shown in Figure 2, as lens 44, photo-sensor array 48, and processor 56. It should also be noted that Elements 44, 48, and 56 are all incorporated within housing 42, of the camera. Additionally, the claim requires a communication system coupled to the video module, for transmission of the video images to a remote location. Figure 2 further shows a transceiver, or communication system, coupled to the video module, via processor 56. As disclosed in Sections 26-27, the transceiver transmits video images over a wireless link, shown in Figure 2 as Element 20, to host computer 10. Moreover, Tullis specifically states that the host computer is remote from the camera. Tullis also states in Section 27, that the host computer, is remote, and can be a network of computers. As additionally claimed in claim 22, Section 40 discloses that audio can be received and transmitted via the communication system.

[claim 2]

Tullis describes the camera, which is encased by a housing, as a hand-held camera, in all of the following Sections: 18, 20-29, and 32-35.

[claim 3]

Claim 3, requires that the communication system include an RF transceiver, for wireless communication with a remote RF transceiver. Section 26, of the Tullis reference, as well as Figure 2 Elements 14 and 72, disclose communication systems which are compatible with one another, and may be infrared or radio frequency

transmission systems. As required by claims 3 and 20, Tullis also states, that data is transferred over a wireless link.

[claims 4 and 21]

Figure 2 shows that the camera has a display, depicted as Element 68, and as described in Section 24, is integrated into the hand-held camera. In Section 38, Tullis explains that images can be sent from the computer to the camera, i.e. images may be received, and displayed by camera 40.

[claim 5]

Tullis teaches in Section 26, a variety of transmission methods, and frequency limits. The use of UWB was originally developed by the military, in the 1960's, and is well known in the art. (Official Notice)

[claim 6]

Section 40 discloses that audio can be received and transmitted.

Regarding claim 11, Tullis discloses, in Section 12, that the hand-held camera may utilize a global positioning system (GPS) to show camera position and orientation.

Claim 14, requires a CPU for controlling operation and function of the camera. Section 23 discloses a control interface, which allows an operator to control the functions of the camera.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2621

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-10, 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No US 2002/0171737 A1 to Tullis, in view of US Patent No 6,319,199 B1 to Sheehan et al.

[claims 7-9]

While Tullis fails to teach a light source, for producing illuminating light, Sheehan shows, in Column 1, Lines 39-53, a portable digital camera, with a controllable light source. The fact that the source is controllable suggests that it is selectively used, and controlled by an operator. Sheehan further teaches, in Column 5, Lines 19-24, that alternative light sources can be used. Additionally, Sheehan states, in Column 6, Line 66 – Column 7, Line 3, that visible or infrared illumination may be used for enhanced image featuring. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Sheehan into Tullis, at the time the invention was made, for the purpose of creating clearer images.

[claim 10]

While neither the Tullis nor the Sheehan reference specifically disclose the use of a laser, Sheehan does state that alternative light sources may be used, and in fact discloses specific positioning of light in Column 5, Lines 7-24.

[claims 15 and 16]

Tullis discloses, in Section 18-20, and shown in Figure 2, a hand-held digital camera with a housing, which is depicted as Element 42. Further disclosed is a video module, shown in Figure 2, as lens 44, photo-sensor array 48, and processor 56. It should also be noted that Elements 44, 48, and 56 are all incorporated within housing 42, of the camera. While Tullis fails to teach a light source, which is selectively actuated, for producing illuminating light, Sheehan shows, in Column 1, Lines 39-53, a portable digital camera, with a controllable light source. The fact that the source is controllable suggests that it is selectively used, and controlled by an operator. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Sheehan into Tullis, at the time the invention was made, for the purpose of creating clearer images.

Sheehan, in Column 6, Line 66 – Column 7, Line 3, discloses claim 16 where visible or infrared illumination may be used for enhanced image featuring.

[claim 17]

Section 40 discloses that audio can be received and transmitted.

[claim 18]

Figure 2, of the Tullis reference, shows a transceiver, or communication system, coupled to the video module, via processor 56. As disclosed in Sections 26-27, the transceiver transmits video images over a wireless link, shown in Figure 2 as Element 20, to host computer 10. Moreover, Tullis specifically states that the host computer is remote from the camera.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No US 2002/0171737 A1 to Tullis, in view of US Patent No 6,431,044 B2 to Poole.

[claim 12 and 13]

While Tullis fails to teach what these limitations, Poole states, in the Abstract, that a personal defense device, with a discharge orifice, or material dispensing system, contains a bioactive agent. The device also has a rangefinder, which determines a distance to a target, such as an intruder, and automatically sprays the bioactive agent at an aggressor. This device may be coupled to one or more cameras, and a wireless communication link for transmission information to a monitoring station. Pepper spray is synonymous with a bioactive agent, and would provide protection against another person. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Poole and Tullis, at the time the invention was made, for the purpose protecting a camera operator, while recording dangerous activities, involving people, or animals.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

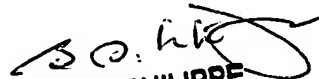
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone

Art Unit: 2621

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Erick Rekstad
Examiner
AU 2621
(571) 272-7338
erick.rekstad@uspto.gov



GIMS PHILIPPE
PRIMARY EXAMINER